

Appl. No. : 10/657,440
Filed : September 8, 2003

REMARKS

Claims 1 and 11 have been amended to clarify the claimed invention. Support can be found on page 10, lines 1-4, and page 14, lines 9-18, for example. Claim 8 has been rewritten in independent form and includes all the limitations recited in claim 1 as amended. Claims 6-7, 10, 13 and 16 have been amended to correct typographical errors.

No new matter has been added. Applicant respectfully requests entry of the amendments and reconsideration of the application in view of the amendments and the following remarks.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-17 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Uber et al (US5,840,026).

Claims 1, 8, and 11 are independent and have been amended to clarify the subject matter. These claims recite, among others:

said pattern storing means storing registered data in which **the variable pattern** is comprised of **a linear decrease** of the injection rate of the contrast medium from the start of injection to a set point of time, and from said point of time **a constant or a linear increase** of the injection rate of the contrast medium

The pattern of the injection rate recited in Claims 1, 8, and 11 results in maintaining the optimum CT level for a significantly longer period of time. This effect is evidenced by Figs.7 and 10 in comparison with Fig.11 which shows the result of a conventional injection pattern. It is unexpected to achieve the optimum CT level for a significantly longer period of time due to the recited injection rate, which leads to better contrast images of the subject, economical use of the contrast medium and contribution to less risk to the subject's health (page 13, lines 8-14).

Uber discloses a contrast delivery system with varying injection rate. However, Uber fails to teach the specific pattern of the injection rate recited in Claims 1, 8, and 11. Uber does not recognize the issue of maintaining the optimum CT level for a longer period of time, and Uber gives no indication of changing the injection rate pattern recited in the claims. At least for the reason, each and every element of Claims 1, 8, and 11 cannot be found in Uber, and thus Claims 1, 8, and 11 cannot be anticipated by Uber. The remaining claims depend ultimately from claims 1, 8, or 11, and thus at least for this reason, the remaining claims also cannot be anticipated by Uber.

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CONCLUSION

In light of the Applicant's amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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